

REMARKS

Applicants have amended the specification, to refer to the table which, as requested by the Examiner, lists the sequences in the Sequence Listing.

None of the above amendments adds any new matter to the Application.

Claim 1 is pending in the application. The outstanding issues are addressed individually below.

1. *Election/Restriction*

The Office Action made the restriction requirement of July 1, 2004, final.

In response, Applicant encloses a Petition from Restriction Requirement Under 37 C.F.R. §1.144.

2. *Specification/Compact Disk Submission/Sequence Listing*

The Examiner has objected to the specification because it refers to "Figure 2" and then describes a detailed table.

Applicant notes that originally filed Figure 2 is a photocopy of the compact diskette which contained all of the sequences of the Application. Applicant is submitting herewith a compact diskette (and two copies thereof) prepared June 9, 2005 which contains a listing of the sequences of the Application in table form (Table II). The undersigned, as Applicant's representative, hereby states that the contents of Table II, which is provided on the 68,269 KB file entitled "table.txt", on all three CD-ROMs are

identical. None of the material on the compact diskette (and copies thereof) adds new matter to the Application as filed.

Further, as this Table II contains the information that was on the originally filed compact diskette (photocopy of which appeared as Fig. 2), Applicant has amended the specification to replace all references in the Application to Figure 2 with references to Table II.

Applicant has also amended the specification to identify the contents of the compact disc containing the Sequence Listing (previously submitted) that is part of the Application, and have have identified the relevant file contained on the compact disc.

In view of these amendments, Applicant respectfully requests that the objections to the specification be reconsidered and withdrawn.

3. *Claim Rejections under 35 U.S.C. §102*

Claim 1 is rejected under 35 U.S.C. §102(b).

Concurrently with this response, Applicant has filed a Request for Statutory Invention Registration (SIR).

As an SIR need not meet the requirements of 35 U.S.C. §102, this rejection is now rendered moot. Accordingly, Applicant respectfully requests that it be reconsidered and withdrawn.

4. *Claim Rejections under 35 U.S.C. §103*

Claim 1 is rejected under 35 U.S.C. §103(a).

Concurrently with this response, Applicant has filed a Request for Statutory Invention Registration (SIR).

As an SIR need not meet the requirements of 35 U.S.C. §103, this rejection is now rendered moot. Accordingly, Applicant respectfully requests that it be reconsidered and withdrawn.

CONCLUSIONS

Applicant respectfully submits that all of the objections and rejections in the Office Action have been overcome by argument and/or amendment.

In accordance with the provisions of 37 C.F.R. §1.136(a)(1), Applicant encloses herewith a petition requesting a one month extension of time up to and including June 20, 2005 (June 18, 2005 falling on a Sunday) to respond to the Office Action mailed February 18, 2005.

No other fees are believed to be due in connection with this response. However, please charge any underpayments or credit any overpayments to Deposit Account No. 08-0219.

If the Examiner believes that any further discussion of this communication would be helpful, please contact the undersigned at the telephone number provided below.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Nancy Chiu Wilker', is written over a horizontal line.

Nancy Chiu Wilker, Ph.D.
Reg. No. 43,545

June 20, 2005
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